



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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February 6, 2025

BY ECF

Honorable Ona T. Wang
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Murray v. City of New York, et al.,
24-CV-4918 (JLR)(OTW)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and attorney for defendant City of New York in the above-referenced matter. Pursuant to Your Honor's Individual Rule I.e, I write to respectfully request a thirty (30) day extension of time, from February 10, 2025 to March 12, 2025, to complete the City's response to the Court's Valentin Order with respect to certain defendants. This is the City's second request for an extension to respond to the Valentin Order. Due to Plaintiff's incarcerated status, we have been unable to obtain his position on this request.

By way of background, Plaintiff has asserted several civil rights claims involving uses of force by Correctional Officers while incarcerated on Rikers Island, and a claim that he was denied food from April 28 to April 30, 2023. The Court on July 23, 2024 issued an order requiring the City to identify any John Doe defendants who were City employees within sixty (60) days. (ECF No. 7). On September 23, 2024, the City partially responded to the Valentin Order, identifying all John Doe defendants except those involved in Plaintiff's claim regarding meal service, and requested an extension of time to identify the remaining defendants (ECF No. 13). That request was granted. Subsequently, before that deadline, the case was stayed pending resolution of defendant's motion to revoke Plaintiff's *In Forma Pauperis* status (ECF No. 16). Plaintiff then paid his filing fee on December 10, 2024, mooted that motion. (See Order Denying as Moot, ECF. No. 30). At the January 22, 2025 initial conference, the Court ordered a full response to the Valentin Order by February 10, 2025. (ECF No. 35).

The City has now obtained West Facility work schedules identifying several individuals responsible for food service patrol and meal relief during the relevant time period. However, given that each day contains three separate shifts, and circumstances sometimes cause actual working hours to deviate from the schedule, the undersigned is attempting to contact the correctional officers to determine who was actually responsible for feeding Plaintiff during this period, and at what times. Unfortunately, due to significant lead time required to arrange correctional officer appearances, this Office has not yet been able to speak with these officers to confirm their actual presence and involvement in meal service to Plaintiff.

Additionally, the undersigned believes there may be video footage of the exterior of Plaintiff's cell for the relevant time period, and is coordinating with liaisons at the Department of Corrections in an effort to obtain it. This video would allow us to confirm exactly which officers served meals to Plaintiff by cross-referencing the individuals visible on video with legal schedules and personnel photos of officers assigned to meal service. This targeted approach would serve judicial economy by ensuring we name only those officers who were actually involved, rather than speculatively naming officers who may later be determined to have no involvement. While this Office has requested this video footage and followed up, we have not yet received a response.

For these reasons, Defendant respectfully requests a 30-day extension to March 12, 2025 to complete our Valentin response.¹

Defendant thanks the Court for its time and consideration of this request.

Respectfully Submitted,

Joseph Zangrilli /s/

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¹ The undersigned respectfully notes that while the City submitted a proposed Case Management Plan on January 27, 2025 (ECF No. 37), the City can submit a revised plan along with its Valentin response if the Court desires.